

C E R T I F I C A T EI.P.S. No. 699AStatement of Source and Authenticity

I, ODO Nagaharu hereby certify that I am officially connected with the Japanese Government in the following capacity: Assistant Chief of Archives Section, Japanese Foreign Office and that as such official I have custody of the document hereto attached consisting of 63 (in English) pages, dated 22 Nov., 1940, and described as follows: Memo. No. 248 of Sir Robert Craigie, British Ambassador in Japan to Vice Minister for Foreign Affairs respecting Anglo-Japanese cases in China. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files):
Foreign Ministry -----

Signed at Tokyo on this_____ day of _____, 1946. /s/ Nagaharu Odo

Signature of Official

SEAL

Witness: /s/ T. SatoAssistant, Chief Archives
Section
Official CapacityStatement of Official Procurement

I, Richard H. Larsh, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
1st day of Oct, 1946/s/ Richard H. Larsh
NAME

Witness: _____

Investigator, IPS
Official Capacity

The Ministry of Foreign Affairs will understand that the list is not intended to be exhaustive. It will further be observed that in no less than 12 of the cases included in the list, the representations made by His Majesty's Embassy have remained without reply.

The British Ambassador would be grateful for an early examination of all these cases, many of which have been dragging on for more than 2 years.

BRITISH EMBASSY,

TOKYO.

November 22nd, 1940.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAA -GENERAL.

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
1. <u>RAILWAYS.</u>		
(a) <u>Peking Mukden Railway.</u>	October	These various subjects
(1) Non-payment of Shang- hai-Fengchiang Railway mortgage redemption loan 1913.	11th, 1937.	have been mentioned in repeated protests from October 1937 onwards. Though a general assur- ance was given in a letter from Mr. Ishii on July 20, 1938, that there was no intention of infringing British rights, no satisfactory explan- ation has been given of the breaches of treaty involved in the actions of the Japanese authori- ties and no satisfactory action has been taken to respect the British
(2) Non-payment of debt owing to Metropolitan Cannel Carriage Company. ((1) and (2) being large- ly due to non-payment by the Japanese military for railway services).		
(3) Construction of a parallel railway to Jehol contrary to international agreement.		
(4) Unification of North China Railways in complete <u>disregard</u>		<u>interests</u>

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disregard of the British interests involved and of international treaties governing them.

interests which have been disregarded in these different ways by Japanese action. On March 24th, 1939, His Majesty's Ambassador drew attention to reports that the North China Railway systems were to be taken over by a Japanese sponsored concern in contravention of international agreements covering the constitution of the Peking-Mukden Railway and requested an assurance that no such procedure was intended. No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINA

<u>SUBJECT</u>	<u>A - GENERAL FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
1. <u>RAILWAYS.</u>		
(b) <u>Shanghai-Nanking and Shanghai-Hangchow- Ningpo Railways.</u> *		
(1) Denial by the Japan-ese authorities of all facilities to British engineer to survey lines on behalf of British bondholders, and failure to make arrangements for the payment of obligations to bondholders in spite of the fact that both railways are being used by the public and are earning revenue.	January 13th (Shanghai) Ambassador on September 20th (Tokyo) 1937	General Ugaki informed His Majesty's Ambassador on September 8th that the region of the railways was an important area in the rear of the Hankow operations. In response to further representations by His Majesty's Embassy, the Minister for Foreign Affairs replied on December 8th that no change whatever had occurred which would render a survey possible. The Japanese Government do not
		<u>share</u>

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share the view of His Majesty's Government that the Japanese Government are partly responsible for damage to the line.

On the 24th March, 1939, His Majesty's Ambassador pointed out that military operations in the region had been concluded, requested permission for an inspection of the lines on behalf of the bondholders, and asked if provision had yet been made for meeting the obligations due to the latter. Further representations regarding the legal ownership

of

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of the Shanghai-Nanking
Railways were made to
the Ministry of Foreign
Affairs on the 10th
October, 1939, and a
reply was requested on
the 2nd March, 1940.
No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CLAIMS IN CHINAA - GENERAL1. RAILWAYS

(b)

(2) Unification of
Central China
Railways.FIAT
ROSEN-
WALLENPRESENT SITUATION

Asks assurance that April
the Japanese Govern- 29th
ment will not approve 1938.
the reported plan for
unification in disre-
gard of British inter-
ests.

On 2nd May, and 4th
July 1939, His Ma-
jesty's Ambassador
made further re-
presentations, pro-
testing against the
creation of the Cen-
tral China Railway
Company to control
lines in the Shanghai-
Nanking area and re-
questing speedy action
to accord due respect
to British rights and
interests.

No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAA - GENERAL1. RAILWAYSFIRST
RepresentationPRESENT SITUATION(c) Tientsin-Pukow Railway

Requests that requisite amount from revenue be applied to service of loans and that foreign personnel be employed to carry out duties.

The Japanese reply of September 15th, 1938, stated that the railway had been much damaged and was being repaired by the Japanese who cannot accept the responsibility for payment of all the obligations.

On 15th May, 1939, His Majesty's Embassy explained that His Majesty's Government cannot accept this contention and requested an assurance that the suspension

of

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of the British First
Engineer was purely
temporary.

No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAA - GENERAL2. SHIPPINGFIRST
DETENTIONPRESENT SITUATION(a) Detention of S.S.
"Sagres", "Lalita"
and "Dholera".

British S. S. "Sagres"	April	In spite of an offer
was seized by a Ja-	22nd,	by the owner of the
panese destroyer in	1939.	"Lalita" and "Dholera"
Chayuan Bay on the	(Sagres)	to agree to waive
8th April, 1939,		their claim for com-
British s.s. "Lalita"	June	ensation upon the
was seized on 27th	30th,	vessels' release,
April near Foochow by	1939.	under certain con-
a Japanese warship.	(Lalita)	ditions, and by the
British s.s. "Dholera"		owners of the "Sagres"
also seized and de-		to reduce their claim
tained by Japanese		to £10,000 on the
Navy.		vessels' release, all
		three are still detained.
		After a total of
		15 communications
		from His Majesty's
		Ambassador on the

subject,

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subject, the Ministry of Foreign Affairs replied on 31st July, 1940, that they would consider the release of the vessels if His Majesty's Government would guarantee not to requisition them without the Japanese Government's consent in the event of their being chartered by Japanese interests.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAA - GENERAL

<u>2. SHIPPING.</u>	<u>First Representations</u>	<u>PRESENT SITUATION</u>
(b) <u>Detention of S.S.</u> <u>"Sparta". *</u>		
Greek S.S. "Sparta"	March	Japanese authorities
insured by British	14th,	refuse to recognize
interests, detained	1938.	the validity of
at Keelung. His Ma-		transfer from Chinese
jesty's Embassy sup-		to Greek registry.
port Danish Lega-		Periodic enquiry in
tions's request for		support of the Da-
release.		nish and subsequent-
		ly, of the Greek Mi-
		nisters' representa-
		tions, has led to no
		result.
		On 11th March, 1940,
		His Majesty's Am-
		bassador states that
		British underwriters
		had now paid £10,000
		on the vessel and
		that His Majesty's

Government

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Government viewed her detention with growing concern. On 13th, April, 1940, the Ministry of Foreign Affairs were informed that the transfer of the Sparta to Greek nationality was correctly carried out under Greek law. Japanese reply of 29th May, 1940, stated that vessel would not be released until suspicion of malicious transfer had been cleared up.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAB - SHANGHAISUBJECTFIRST
REPRESENTATION.PRESENT SITUATION1. Tinkler Case.

On 6th June, 1939, in June
the course of a dis- 17th,
order at the China 1939.
Printing and Finishing
Company's Mill at
Pootung, a British
subject named Tinkler
was fatally wounded
by Japanese Marines.
Protests strongly
against the negligent
and obstructive atti-
tude of Japanese
authorities in the matter
and reserves right to
claim compensation.

Reminder sent on May 6th,
1940, urging the disposal
of this long outstanding
case in the interests of
Anglo-Japanese relations.

No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAB - SHANGHAI.SUBJECTFIRST
REPRESENTATION.PARENT SITUATION2. Cotton Mills.

(a) Pioneer Spinning
Mill (Hien Wen Thread
Company). *

Protests against forcible occupation of the mill by Mr. Yokoyama, acting on behalf of (Japanese) Naigai Hosiery Mill, and against continued obstruction placed by Japanese authorities in the way of operation by the British company, who have an undisputed right to operate it.

September
20th,
1938.

No satisfactory explanation given regarding the violent seizure of the mill and no action yet taken to restore it to the British Company. Further reminders were sent on February 6th, 1939 and March 18th, 1940.

No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINA

B - SHANGHAI.

<u>SUBJECT</u>	<u>FIRST REFERENCE- DATE</u>	<u>PRESENT SITUATION</u>
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2. Cotton Mills

(b) <u>Sung Sing No. 7</u>	January	No reply.
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<u>Mills</u> *	4th,	
Requests cessation	1940.	

of the removal of
cotton from the mill by
the Japanese-owned Kung
Dah Mill and of other
interference, and urges
the provision of
facilities for a Receiver
to take over the Mill on
behalf of the Hongkong and
Shanghai Banking Corporation.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAC - NORTH CHINA

<u>SUBJECT</u>	<u>FIRST REPRESENTATION.</u>	<u>PRESENT SITUATION</u>
<u>1. EXCHANGE AND IMPORT CONTROL.</u>	March	
Existing difficulties 10th, in the way of British 1939. traders in North China will be increased by Japanese measures for control of trade and foreign exchange. Such proceedings conflict with Treaty rights and Japanese assurances. His Majesty's Government reserve the right to take any action.		Japanese reply of April 13th states that object of the measures was to secure that Federal Reserve Bank notes should fulfil functions of a trade currency. No general control of trade and exchange and no discrimination were contemplated. His Majesty's Ambassador replied on June 8th, 1939, that he still considered the restrictions constituted serious and unjustifiable discrimination against Great Britain. On 12th August, 1940,
		<u>His</u>

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SUBJECTFIRST
REPRESENTATION.PRESENT SITUATION

His Majesty's Ambassador drew attention to the import control regulations recently introduced by Japanese authorities, trusting there would be no discrimination against British interests and requesting an assurance that permits would be granted for the import of goods already contracted for. Japanese reply of October 22nd stated that the North China Authorities had dealt with these matters in a satisfactory manner and that situation referred to had not in fact arisen.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAC - NORTH CHINA

<u>SUBJECT</u>	<u>FIRST REPRESENT- TATION</u>	<u>PRESENT SITUATION</u>
2. <u>TSIAOTSO. Peking Syndicate's Mines.</u>		
The mines, in which there are important British interests, have been confiscated by the Chinese de facto authorities on the instigation of the Japanese authori- ties. Protests strongly and requests immediate restoration.	August 14th 1939.	On 10th November 1939, Sir Robert Craigie re- quested protection of Syndicate's property and machinery pending restora- tion of the mines, and gave evidence of Japanese official instigation. Such action is in flagrant violation of repeated assu- rances given by the Japa- nese Government and greatly increases difficulty of restoring better relations. Japanese reply of 10th January, 1940, stated that most of machinery had been

carried

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carried off before Japanese occupation. Representative of British interests concerned recognised right of local Chinese authorities to operate mines on regular basis.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAC - NORTH CHINASUBJECTFIRST
REPRESENT-
TATIONPRESENT SITUATION3. TSINGTAO. Discrimination
against British Shipping
and Trade. *

In spite of Japanese assurances that Three Power shipping will be given certain facilities in the port of Tsingtao, British ships have continued to be subjected to discrimination and delays. Requests speedy relaxation of the restrictions.

May 19th, 1939. After further communications, the Ministry of Foreign Affairs replied on January 20th, 1940, that steps had recently been taken by the local military authorities to provide further facilities did not, however, in practice become available and, after a reminder on April 15th, His Majesty's Ambassador made further represen-

tations

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tations on the 6th May regarding the wharf situation and renewed instances of discrimination against British shipping. Still further examples of such discrimination were made the subject of representations on the 13th June.

No reply was received.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAC - NORTH CHINA

<u>SUBJECT</u>	<u>FIRST REPRESENTATION.</u>	<u>PRESENT SITUATION</u>
4. <u>WUTINGFU. Burning of English Methodist Mission at Chuchin.</u>	January 9th, 1940.	Japanese reply of February 12th states that Mission was found to be centre of anti- Japanese activities. Hospital was therefore burnt in self-protection. His Majesty's Ambassador replied on April 18th that His Majesty's Government consider action of Japanese troops totally un- justified and contrary to international law, and trust vigorous measures will be taken to prevent a recurrence of the incident.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINASUBJECTFIRST
REPRESENTATION.PRESENT SITUATION1. BOMBING INCIDENTS(a) Chungking

In a raid by Japanese aircraft on 4th May, 1939, a bomb killed 2 and wounded 11 in the native staff quarters of His Majesty's Consulate, while considerable damage was done to property of His Majesty's Government. Protests vigorously and requests issue of instructions to stop indiscriminate bombing.

May 12th, 1939.

In spite of these representations renewed damage was done to British property by repeated indiscriminate bombings of Chungking. On the 24th June, 1940, further serious damage was done to His Majesty's Consulate-General, the Consul-General's house being destroyed and 2 other houses struck. On August 5th, 1940, His Majesty's Ambassador stated that he must

reserve

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reserve all rights on
behalf of His Majesty's
Government in the United
Kingdom in regard to
these attacks, that
the Japanese Government
must be held fully
responsible for any
injury to British
life and property and
that a claim for compen-
sation would be entered
in due course.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINASUBJECTFIRST
RESPONSE-
ACTIONPRESENT SITUATION1. BOMBING INCIDENTS Continued(b) Ichang

On 6th August, 1939, the	August	No reply.
Asiatic Petroleum Com-	11th,	
pany's installation and	1939.	
2 steamers belonging to		
Jardine, Matheson and Com-		
pany were damaged and 1		
British officer and 2		
Chinese sailors on board		
the latter were wounded in		
a raid by Japanese aircraft.		
Reminds Japanese Government		
of their assurances regarding		
foreign rights and interests		
and hopes that stricter orders		
will be issued in future.		
Reserves right to claim		
compensation.		

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINASUBJECTFIRST
REPRESENTATION.PRESENT SITUATION1. BOMBING INCIDENTS Continued(c) Pakhoi.

China Mission School September

No reply.

Hospital at Pakhoi was 20th
bombed on August 29th 1939.

1939, although particulars of the hospital had been communicated to the Japanese Consul-General at Canton by His Majesty's Consul-General in 1938.

Requests investigation and steps to prevent repetition.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINA

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
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1. BOOMBING INCIDENTS Continued

(d) <u>Pinkiang</u>	March	In spite of reminder
In bombing of	28 th	sent on 10th May, no
English Methodist	1939.	reply was received.
Mission on March 15th,		
the Reverend A. G.		
Leigh was killed.		
Protests, asks		
measures to ensure		
nonrepetition and		
expression of regret		
and reserves right		
to claim compensation.		

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINASUBJECTFIRST
REPRESENTATION.PRESENT SITUATION1. BOMBING INCIDENTS Continued(c) Sian.

Jenkins Robertson Memorial Hospital of the English Baptist Mission, though	March 13th 1939.	In spite of reminder sent on May 10th, no reply was received.
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clearly marked, was bombed by Japanese aircraft on March 8th, 1939, in spite of previous representations made in regard to this hospital in Shanghai. The operating theatre was destroyed and other damage done. Requests enquiry, assurances against recurrence and expression of regret. Reserves right to claim compensation.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINASUBJECTFIRST
REPRESENTATIONPRESENT SITUATION2. CENTRAL CHINA BANK

Reports are current
that a new bank of
issue may be set up
by the Nanking
authorities. Such a
step would have the
most unfortunate ^{unfortunate} effect
on trade of Third Powers
and on Anglo-Japanese
relations and would be
incompatible with
Japanese assurances.
Requests information.

May
27th
1940.

On October 23rd His
Majesty's Ambassador
drew attention to a
statement made by
the Minister of
Finance of the
Nanking Government
indicating that a
Central bank of
issue would start
operations in
November. Sir Robert
Craigie asked that
steps be taken to
prevent this bank
from being established.

No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINA

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
3. <u>KIUKIANG. Refusal to allow British Subjects to re-occupy their properties.</u>	<p>Representatives of Butterfield and Swire, Jardine, Matheson and Company, Asiatic Petroleum Company and British-American Tobacco Company have been refused permission to return to Kiukiang although the Standard-Vacuum Oil Company's representatives had been allowed to do so. Assumes that Japanese Government do not propose to countenance discrimination of this description and urges that permission should be given to these firms to return to Kiukiang as soon as possible.</p>	<p>Japanese reply of 25th June stated that return of Butterfield and Swire and Asiatic Petroleum Company was impossible owing to military necessity, that permission was being reserved in case of Jardine, Matheson and Company owing to actions by the firm in the interests of the enemy, but that permission to return on certain conditions had already been granted to the British American Tobacco Company. There was no intention of deliberate discrimination against British firms.</p>

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINASUBJECTFIRST
REPRESENTATIONPRESENT SITUATION4. YANGTZE DELTA. Restrictions on British Trade.

Draws attention to following Japanese activities in Yangtze Delta:-

- (a) Attempts to establish a system of trade permits
- (b) Direct interference with British shipping, and
- (c) Discrimination against British shipping by means of the intimidation of Chinese. His Majesty's Government cannot admit the right of Japanese authorities to restrict legitimate British trade.

Moreover, the Nanking authorities recently informed the Shanghai Commission of Customs that vessels wishing to clear for certain ports must obtain certificates from the competent authorities additional to In

land

June
6th,
1939.

After reminder dated June 21st pressing for issue of appropriate instructions to local authorities, Japanese Government replied on 20th September that the Chinese Customs authorities and the Japanese military authorities were acting within their competence in view of military necessity.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINA

D -CENTRAL CHINA

SUBJECT

FIRST
REPRESENTATION.

PRESENT SITUATION

4. YANGTZE DELTA. Continued

Inland Water Certificates. This would be unwarrantable interference with the Customs Administration and with legitimate foreign trade. Requests immediate issue of suitable instructions.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINA

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
5. <u>YANGTZE NAVIGATION.</u> <u>Discrimination against</u> <u>British Shipping.</u> *		
(a) Shipments of ordinary goods by Japanese ships are now freely possible.	April 10th 1939.	On 1st July, 1939, His Majesty's Ambassador pointed out that German and Italian shipping was being favoured to the detriment of British shipping and that the general situation had deteriorated since April 10th.
(b) 80% of the goods so carried cannot be described as cargo for military requirements.		
(c) At certain places all imports except Japanese goods are taxed.		No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAD - CENTRAL CHINASUBJECTFIRST
REPRESENTATION.PRESENT SITUATION6. YANGTZE VALLEY
EGG TRADE.

MitsuiBussan Kai-
sha have established
a virtual monopoly
of the egg trade in
the Yangtze Valley.
Hopes that appropriate
steps will be taken at
an early date to ensure
removal of these
hindrances to legitimate
British trade.

November
16th,
1939.

Japanese reply of 4th
December stated that an
early local settlement
was expected.
After His Majesty's
Ambassador had drawn
attention to further
difficulties on 20th
January, 1940, the
Ministry of Foreign
Affairs again stated
that they expected a
local settlement.
On October 14th, 1940,
His Majesty's Ambassador
drew attention to further

measures

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measures which the Japanese military authorities propose to enforce in connection with the egg trade and also as regards silk and other principal exports of the Yangtze Valley. Prompt steps were requested to bring to an end this continued interference with British interests.

No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAE - SOUTH CHINA

<u>SUBJECT</u>	<u>FIRST REPRESENT- TATION.</u>	<u>PRESENT SITUATION</u>
1. <u>CANTON. Trading in Hides and Hemp.</u>		
Proclamation published in Canton on 18th October, 4th, whereby trading in hides and hemp was apparently forbidden by the Japanese military authorities and a monopoly in these commodities granted to certain Japanese firms. Requests steps to pre- vent execution of this project.	December 1939.	Japanese reply of 24th February, 1940, states that measures taken are unavoidable steps in order that army may be self-supporting.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAE - SOUTH CHINA

<u>SUBJECT</u>	<u>FIRST REPRESENTATION.</u>	<u>PRESENT SITUATION</u>
2. <u>SHARP PEAK. Proposed steamship Service.</u>		
Proposal for Foreign passengers, mails, food and medical supplies for foreigners at Foochow to be brought by British steamer to neighbourhood of Sharp Peak once or twice a month. Trust Japanese Government will agree on humanitarian grounds.	August 23rd, 1940.	No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAE - SOUTH CHINA

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
3. <u>SWATOW.</u>		
(a) <u>Harbour Restrictions.</u>	December	Japanese reply of January
Port of Swatow has	11th	17th 1940, states that
been closed to Third	1939.	restrictions must be
Power shipping except		continued for reasons
for one vessel a week		of strategic necessity
since shortly after its		but that harbour will
occupation by Japanese		be reopened as soon as
forces. Considerable		an improvement is seen.
quantities of goods are		On March 16th His
now being landed there		Majesty's Ambassador
from Japanese vessels,		gave statistics of
so argument that		trading activities by
closure is due to		Japanese vessels at
military necessity no		Swatow as evidence that
longer applies.		closure of port could
Requests reopening of		no longer be justified
port.		on grounds of military
		necessity and requested
		early steps for its
		reopening.
		No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAE - SOUTH CHINASUBJECTFIRST
INTERSEN-
TATION.PRESENT SITUATION

3. SWATOW Continued.
(b) Taxation of
Imports and Exports.

"Swatow Rehabilitation Commission" has established tax bureau which is levying taxes on imports and exports as well as "voluntary contributions" on shipments of embroideries. Requests cessation of this further infringement of the rights of the Chinese Maritime Customs.

February
10th,
1940.

Japanese reply of
23rd February states
that an investigation
is being undertaken.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAE - SOUTH CHINASUBJECTFIRST
REPRESENTATION.PRESENT SITUATION4. HONG KONG. Infringement
of Territorial Waters
and Attacks on Junks.*

Attacks by Japanese naval forces on junks registered in Hong Kong or engaged in fishing for the Hong Kong market have been made by Japanese naval forces at frequent intervals from September 1937. These incidents have often involved violation of Hong Kong territorial waters.

Repeated representations by His Majesty's Ambassador have not been successful in securing a cessation of these attacks, which are still continuing.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAF - CLAIMS

<u>SUBJECT</u>	<u>FIRST REPRESENTATION.</u>	<u>PRESENT SITUATION</u>
1. <u>Claims in respect of the Yangtze incidents of December 5th, 11th and 12th, 1937.</u> *	April 4th, 1938.	On September 1st, 1938, an official statement of these claims, not subject to alteration, was presented. A verbal reminder was furnished on October 10th and a written reminder on November 10th, pointing out that the Japanese Government had been in possession of the appropriate information for over six months. Japanese Government's reply November 22nd stated that the authorities were working hard on the claims but that investigations were not <u>completed.</u>
(Presented with reference to notes from the Japanese Government promising compensation in respect of these incidents).		
Value: £110,480.10. 6.		

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completed. On January 3rd, 1939, the Japanese Government were reminded that assurances had been given that compensation would be paid. It was pointed out that there could therefore be no difficulty in principle. Prompt settlement or information as to what difficulty had caused delay of nine months was requested. Discussion on points of detail between officials of the Ministry of Foreign Affairs and member of the Staff of His Majesty's Embassy took place on February 23rd, March 24th, and April 25th, 1939, and on February 14th, March 16th, and October 25th, 1940, and there has been some correspondence in the course of which the Ministry have been supplied with the detailed information requested. But although the Japanese representatives have latterly referred to the existence of concrete proposals for the settlement of these claims, no offer has yet been made.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAF - CLAIMSSUBJECTFIRST
REPRESENTATION.PRESENT SITUATION2. S.S. ASLAN *

Claim in respect of
damage caused by the
wrongful detention of
the ship by the Japa-
nese navy from Febru-
ary 7th to 20th and
theft during detention
of articles on board.

May
1st,
1938.

Japanese Government stated
in their reply of June 3rd
that there were insuffici-
ent documents on board and
denied the theft of any
articles during the ship's
detention a receipt having
been furnished by the
Captain on departure from
Mako.

On September 9th, His
Majesty's Ambassador ex-
plained the situation with
regard to the ship's docu-
ments, by the alleged ir-
regularity of which the
Minister for Foreign Af-
airs had endeavoured to
justify the ship's deten-
tion and pointed out that

detention

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detention could have been avoided by wireless consultation of the port authorities. The receipt which the Captain had given was only for private and ship's papers. The Japanese reply of October 4th, claimed that the Japanese could not bear the entire responsibility and that, as the Captain in his receipt had stated everything was in order, there was no room for further discussion on the subject of the alleged thefts.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAE - CLAIMS

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
3. <u>Cases involving infringement of Hong Kong territorial waters and attack on junks.</u> *		
(a) September 22nd, 1937, Fishing junks sunk by Japanese submarine.	January 5th, 1938	His Majesty's Ambassador's Note of August 15th, 1938, stated that Japanese explanation could not be accepted and presented a claim for Hong Kong \$30,469.00. The Japanese reply of September 19th refused to consider the question of responsibility, but offered an <u>ex gratia</u> payment to those fishermen who are British subject and can prove they took no part in aggression against a Japanese warship.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAF - CLAIMSSUBJECTFIRST
REPRESENTATION.PRESENT SITUATION

3. (b) February 11th,
1938. Attack on
and seizure of 4
junks by Japanese
armed motor trawler.

February
26th,
1938.

Japanese Government's
reply of March 8th,
stated that the inci-
dents did not take
place within British
territorial waters.
His Majesty's Note of
April 27th, showed that
the junks in question
were different from
those referred to in
the Japanese Govern-
ment's reply. A
further Note from His
Majesty's Ambassador
of the same date sub-
mitted a claim for
Hong Kong \$12,000.00
No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAF - CLAIMS

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
3. (c) May 3rd, 1938. Piracy and murder committed by Japa- nese sailors on a junk from Hong Kong.	June 17th, 1938.	His Majesty's Ambassador addressed a second Note to the Minister for Foreign Affairs on July 8th, confirming the details of his previous Note and on October 31st, a claim for Hong Kong \$11,872.50 was submitted. The Japa- nese Government's reply of December 6th, stated that there had been cases in which Japanese warships had dealt with hostile junks, but that there were no facts corresponding to the statements in His Majesty's Ambassador's Note of July 8th.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAF - CLAIMS

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
4. <u>Damage to His Majesty's Consulate at Pagado Anchorage, Foochow, during an air raid on July 1st.</u>	July 9th 1938.	A claim for £215. 7. 4 was presented by His Majesty's Ambassador on May 3rd, 1939. No reply.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAF - CLAIMSSUBJECTFIRST
REPRESENTATIONPRESENT SITUATION

5. Damage to His Majesty's Consulates and British property at Chefoo and Tsingtao in the course of anti-British demonstrations on August 11th and July 10th respectively
- December 18th, 1939. A claim for Chinese National \$1,554.01 and United States \$20.75 was submitted by His Majesty's Embassy on December 18th. On January 23rd, 1940, the Japanese Ministry of Foreign Affairs replied that the anti-British movement in China had broken out spontaneously, that the Chinese organs were in control that the matter should be discussed therefore between the local British and Chinese authorities and that there was no reason

why

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why the Japanese Government should bear the responsibility or receive the statement of claim. In their Note of February 12th, 1940, His Majesty's Embassy pointed out that His Majesty's Government do not recognise the "local Chinese authorities", that Tsingtao and Chefoo were under the effective occupation of the Japanese Army and that the Japanese Government were therefore responsible for preventing disorder. The formula of July 22nd was intended to cover such cases. His Majesty's Embassy therefore maintained their claim. In their Note of March 20th, His Majesty's Embassy enquired of the Ministry whether a reply might shortly be expected but none has yet been received.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAF - CLAIMS

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PARENT SITUATION</u>
<p>6. <u>Attack on the Imperial Airways aircraft</u> 23rd <u>"Dardanus" on November</u> 1939. <u>8th, 1939, at Waichow</u> <u>Island, South China.</u></p> <p>His Majesty's Ambassador protested vigorously against this incident and pointed out how unwarranted such an attack on a civilian aircraft was, wherever it was flying. The identity of the aircraft must have been clear to the Japanese authorities. His Majesty's Government did not admit any right on the part of the Japanese Government to</p>		<p>His Majesty's Ambassador presented a claim for £1,706.8.3 for damage and loss on January 13th, 1940. A more detailed statement of this claim showing the extensive damage suffered by the aircraft and its un-airworthy state when returned to the British authorities, was submitted by His Majesty's Embassy on February 13th. As no reply was received a Note enquiring whether a settlement might soon be expected</p>

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exclude British aircraft from any particular area, as His Majesty's Ambassador had informed the Japanese Government on February 27th 1939. His Majesty's Ambassador also took strong exception to the detention of the aircraft's two pilots for 5 days, reserved the right to claim compensation and requested an assurance that instructions against the repetition of such an incident had been sent to the appropriate Japanese authorities.

was sent to the Ministry on March 20th. In their reply of April 23rd, the Ministry stated that as regards repairs the Imperial Japanese authorities did not take any measures at the time as a matter of obligation, but especially kind treatment was given. They stated that there was therefore no reason for the Japanese Government to bear any responsibility for any sort of damage in this case.

SUMMARY OF OUTSTANDING ANGLO-JAPANESE CASES IN CHINAF - CLAIMS

<u>SUBJECT</u>	<u>FIRST REPRESENTATION</u>	<u>PRESENT SITUATION</u>
* 7. <u>GENERAL CLAIMS</u>		
Between June 21st 1938, June and November 11th, 1940, 14 sets of claims in respect of loss suffered by British subjects as a result of the operations of the Japanese armed forces in China have been submitted. In addition, claims by Mr. H. Hayward and by Messrs. Butterfield and Swire (in respect of their Hoken Staff Quarters at Hankow) have been submitted separately.	21st 1938.	These claims amount in all to £414,654. 4. 7-1/4. Claims amount to £5,000. 2. 3 only may be regarded as withdrawn, while one claim has been reduced by £29. 17. 2, leaving a balance of £409,624. 5. 2-1/4 outstanding under this head alone.